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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,972	05/31/2001	Gary G. Stringham	10008004-1	8574

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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,972

Applicant(s)

STRINGHAM, GARY G.

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005 and 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18, 19 is/are pending in the application.
- 4a) Of the above claim(s) 4-6, 11, 14-16, 18 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10, 12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 4-6, 11, 14-16, 18, 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7/29/2005.

Applicant has elected claims 1-10, 12, 13 and not elected claims 11 and 19 to be examined. Claims 11, and 19 clearly shows that the control module is located in the copier. Claims 12, 13 clearly showing a printer connected to a computer, not a copier. Since claims 12-13 belongs to a printer, not a copier; and the applicant clearly is selecting a group that does not include a copier; claims 4-6 (also belongs to the group including claims 11 and 19) are withdrawn from considerations.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry et al (US 6,850,335).

Regarding claim 1: Barry teaches an apparatus (fig. 2) for executing a document print job (column 4, lines 57-58) to produce job output comprising printed documents (column 21, lines 55-65), the apparatus having a plurality of output receptacles (column

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5, lines 5-10) for receiving the job output printed documents, the apparatus comprising: an output distribution module (the program of processor, column 4, lines 45-47) for selectively creating a plurality of job output subsets (e.g., one copies of pages 1-10, column 21, lines 55-65) from execution of a single document print job (column 4, lines 57-58) and for selectively directing one of said plurality of output subsets to one of the plurality of output receptacles (column 5, lines 5-10), wherein at least two of said plurality of print job output subsets contain different numbers of output printed documents (note).

Note: table 6, column 21, shows printing one copy of document (page 1-10) on PPE 1, and PPE 2, column 21, lines 30-35, teaches the number of copies field is a variables. Therefore, it would have been obvious that the entry of PPE1 would be 2,1,10,0 (which means printing 2 copies of the document from page 1 to page 10) instead of 1,1,10, 0. Therefore PPE1 would print 2 copies of the document while PPE 1 would print one copy of the document.

Regarding claim 2: Barry teaches wherein said output distribution module further comprises a subset quantity selector control for specifying a number of printed documents to place in each of said job output subsets (entry in the array defined by the number of copy variable, column 21, lines 30-40).

Regarding claim 3: Barry teaches wherein each of the plurality of output receptacles has a unique identifier, and wherein said output distribution module further comprises a subset receptacle selector for selecting which of the plurality of output

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receptacles to direct each of said plurality of output subsets to (PPE 1 or PPE 2, table 6 column 21, also see column 5, lines 5-10).

Regarding claim 7: Barry teaches wherein the apparatus comprises a printer connected to at least one computer (column 4, lines 15-45), and wherein at least a portion of the control module comprises program code (it is inherent that a person computer is controlled by program code) for execution by the computer.

4. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry et al as applied to claim 1 above, and further in view of Lobiondo (US 5,287,194) and Reed et al (US 5,130,806, incorporate by reference Lobiondo, column 6, lines 1-5).

Regarding claim 8: Barry does not teach wherein said control module further comprises a subset quantity selector for specifying a number of output printed documents from said single job to be placed in each of said output subsets and a subset receptacle selector for selecting which of the plurality of output receptacles to direct each of said plurality of output subsets to, said subset quantity selector and said subset receptacle selector accessible through the computer.

Lobiondo, in the same area of scheduling print jobs, teaches a subset quantity selector for specifying a number of output printed documents from said single job to be placed in each of said output subsets and a subset receptacle selector for selecting which of the plurality of output receptacles to direct each of said plurality of output subsets to, said subset quantity selector and said subset receptacle selector accessible through the computer (column 3, lines 30-50, column 4, lines 35-40, column 5, lines 15-

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20, column 5, lines 45-50; note: the receptacle is being interpreted as the printer unit including the storage of printed documents).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Barry to include: a subset quantity selector for specifying a number of output printed documents from said single job to be placed in each of said output subsets and a subset receptacle selector for selecting which of the plurality of output receptacles to direct each of said plurality of output subsets to, said subset quantity selector and said subset receptacle selector accessible through the computer, such that a user would have more control of where the print job is printed.

Regarding claim 9: Lobiondo teaches wherein said distribution control module comprises a driver (the software that is controlling the display, column 5, lines 25-30) running on the computer, and wherein said distribution control module further comprises a subset quantity selector for selecting a quantity of printed documents to be placed in each of said output subsets, said subset quantity selector comprising a component of said driver accessible through a graphic user interface displayed on the computer (column 3, lines 30-50, column 4, lines 35-40, column 5, lines 15-20, column 5, lines 45-50; note: the receptacle is being interpreted as the printer unit including the storage of printed documents).

Regarding claim 10: Lobiondo teaches wherein said driver further comprises a subset receptacle selector for specifying which of the plurality of output receptacles to direct each of said plurality of output subsets to, and wherein said subset quantity

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selector and said subset receptacle selector are accessible through a table interface (column 3, lines 30-50, column 4, lines 35-40, column 5, lines 15-20, column 5, lines 45-50; note: the receptacle is being interpreted as the printer unit including the storage of printed documents).

The user interface of Lobiondo is shown by fig. 7, fig. 11-13, of Reed's reference as a table interface.

5. Claims 1-3, 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salgado (US 5,898,592) and Gauronski et al (US 5,206,735, incorporated by reference, column 14, lines 20-25, Salgado).

Regarding claim 1: Salgado teaches an apparatus (fig. 2) for executing a document print job (column 15, lines 40-60) to produce job output comprising printed documents, the apparatus having a plurality of output receptacles (column 15, lines 50-60) for receiving the job output printed documents, the apparatus comprising: an output distribution module (the program of processor, that fig. 6) for selectively creating a plurality of job output subsets (multiple copies, column 15, lines 55-60) from execution of a single document print job (a job, column 15, line 49) and for selectively directing one of said plurality of output subsets to one of the plurality of output receptacles (column 15, lines 45-60), wherein at least two of said plurality of print job output subsets contain different numbers of output printed documents (note).

Note: column 15, lines 45-60 shows printing one copy of document to each of the bins, column 15, lines 55-60, user can designate multiple copies to each of the bins.

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Therefore, it would have been obvious that a user can designate a copy to a bin and designate different copies to different bins.

Regarding claim 2: Salgado teaches wherein said output distribution module further comprises a subset quantity selector control for specifying a number of printed documents to place in each of said job output subsets (column 15, lines 55-60)

Regarding claim 3: Salgado teaches wherein each of the plurality of output receptacles has a unique identifier, and wherein said output distribution module further comprises a subset receptacle selector for selecting which of the plurality of output receptacles to direct each of said plurality of output subsets to (column 15, lines 45-60).

Regarding claim 7: Salgado teaches wherein the apparatus comprises a printer connected to at least one computer (fig. 2), and wherein at least a portion of the control module comprises program code (fig. 7, 9, Gauronski) for execution by the computer.

Regarding claim 8: Salgado teaches wherein said control module further comprises a subset quantity selector for specifying a number of output printed documents from said single job to be placed in each of said output subsets and a subset receptacle selector for selecting which of the plurality of output receptacles to direct each of said plurality of output subsets to, said subset quantity selector and said subset receptacle selector accessible through the computer (column 15, lines 40-60).

Regarding claim 9: Salgado teaches wherein said distribution control module comprises a driver (the software that is controlling the display, fig. 7, fig. 9, Gauronski) running on the computer, and wherein said distribution control module further comprises a subset quantity selector for selecting a quantity of printed documents to be placed in

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each of said output subsets, said subset quantity selector comprising a component of said driver accessible through a graphic user interface displayed on the computer (column 15, lines 40-60).

Regarding claim 10: Salgado teaches wherein said driver further comprises a subset receptacle selector for specifying which of the plurality of output receptacles to direct each of said plurality of output subsets to, and wherein said subset quantity selector and said subset receptacle selector are accessible through a table interface (column 15, lines 40-60, fig. 7, 9, Gauronski).

6. Claims 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salgado et al (US 5,898,592) in view of Gauronski et al (US 5,206,735, incorporated by reference, column 14, lines 20-25, Salgado) and Hanson (US 6,148,346).

Regarding claim 12: Salgado teaches a printer (column 9, line 4) connected to at least one computer (fig. 2) for executing print jobs (column 14, line 25) the printer having a plurality of output trays (bins, column 7, lines 30-40, column 9, lines 4-6) for receiving the printed documents, each of the trays having a unique identifier (column 15, lines 50-60), the system comprising: a printer driver (the user interface software that would allowed user to select a output bin or number of copies, column 45-60) for execution by the computer for functional interface with the printer, the printer driver selectively causing the printer to create a plurality of subsets (the number of printed copies, column 15, lines 50-60) of output printed documents from a single print job (job column 15, line 49) and causing the computer to selectively deposit each of said output

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subsets in different output trays (column 15, lines 45-60), said driver having a subset quantity selector for selecting a number of output documents to be placed in each of said plurality of output sets (column 15, lines 55-60), at least two of said plurality of output sets having different numbers of printed documents (user can designate one copy of printed document or multiple document to be place in each of the output set/tray/bin, column 15, lines 45-60), said driver having a subset tray selector for selecting by unique identifier which of the plurality of trays to direct each of said output subsets to (column 15, lines 45-60), said printer driver accessible through a graphic user interface on the computer (fig. 7, fig. 9, Gauronski).

Salgado does not teach the printer drive is located at the printer.

Hanson, in the same area of user interface of a computer/printer system (column 4, lines 10-20) teaches user interface of a driver executed in a computer is located in a printer, column 35-57).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Salgado to include: the printer drive is located at the printer, such that users are provided a way of viewing and manipulating most up to date printer specific data as taught by Hanson at column 4, lines 55-57.

Regarding claim 13: Gauronski teaches wherein at least a portion of said graphic user interface comprises a tabular Interface for selecting values for said subset quantity selectors and for said subset tray selectors (fig. 7, fig. 9).

Response to Arguments

7. Applicant's arguments with respect to claims 1-3, 7-10, 12, 13 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 12, 2005


KING Y. POON
PRIMARY EXAMINER